

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**IN RE: DEMARIO CLEMONS,**

**Debtor(s),**

**CASE NO. 09-33693D  
ADV. NO.  
CHAPTER 13**

**DEMARIO CLEMONS,**

**Plaintiff(s),**

**v.**

**NATIONWIDE MUTUAL INSURANCE  
C/O JOHN CHEADLE,**

**Defendant(s).**

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**COMPLAINT FOR TURNOVER OF FUNDS FROM NATIONWIDE MUTUAL  
INSURANCE C/O JOHN CHEADLE**

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Comes now the Debtor(s), by and through counsel and moves this Honorable Court to grant this Complaint for Turnover of Funds from Nationwide Mutual Insurance c/o John Cheadle. In support of said complaint, the Debtor(s) would show:

1. This case was filed on December 8, 2009;
2. Nationwide Mutual Insurance c/o John Cheadle garnished \$104.00 from the Debtor(s) paycheck stub for General Sessions Docket #1236328;
3. These funds are part of the bankruptcy estate and an exemption as both personal property as well as income; and
4. The Debtor(s) would show that this garnishment is a violation of the automatic stay.

PREMISES CONSIDERED, the Debtor(s) prays:

1. That process issue requiring the Defendant(s) to answer said allegations;
2. That at a hearing, the Court order Nationwide Mutual Insurance c/o John Cheadle to turnover the funds in question; and
3. For general relief.

/s/ Earnest E. Fiveash  
Earnest E. Fiveash  
1433 Poplar Ave.  
Memphis, TN 38104  
(901) 276-3334

**CERTIFICATE OF SERVICE**

On February 18, 2010, a copy of the foregoing was served via United States Mail (First Class) to the **Debtor**, 3228 Crete, Memphis, TN 38111; Nationwide Mutual Insurance, c/o John Cheadle, 129 N 2<sup>nd</sup>, Nashville, TN 37201; and the **Case Trustee**, 5350 Poplar Avenue, Ste. 1113, Memphis, TN 38119.

/s/ Earnest E. Fiveash  
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